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Marius Hauri

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EXAMINER

WITCZAK, CATHERINE

ART UNIT

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Continuation of Substance of Interview including description of the general nature of what was discussed: New claims filed 9/13/11 are identical to the claims which were previously on appeal. The Examiner's rejection of the claims which were affirmed by the Board included a 103 rejection of claims under Crawford as modified by Hudon, wherein the Examiner used the Hudon reference as teaching that it would be obvious to modify the Crawford reference with a rotatably mounted collar as taught by Hudon. With the filing of the new claims, Applicant included a statement disqualifying the Hudon reference as prior art under 35 USC 103(c) because the application and the Hudon reference were, at the time the invention was made, owned by, or subject to an obligation of assignment to the assignee of the instant application. Upon updating her search, Examiner found another reference which also teaches a rotatably mounted collar, and can be used instead of the disqualified Hudon reference to modify the Crawford reference. Given that in the previous examination of the claims, certain claims were objected to as being dependent on a rejected claim, but otherwise allowable, Examiner called the Applicant to discuss possibly amending the claims with these limitations to put the claims in condition for allowance, rather than having a rejection sent out in which the Hudon reference is simply replaced with a reference teaching the same rotatably mounted collar, but having a date which qualifies it as a 103 (c) reference. Applicant opted to have the rejection sent out.